

REMARKS

The Examiner has rejected pending claims 1-20 under 35 U.S.C. § 103(a) for obviousness over the teachings of U.S. Patent No. 4,648,151 to Whaley in view of the teachings of U.S. Patent No. 5,016,930 to Hamilton. The Examiner stated that the Whaley patent teaches all of the limitations of the pending claims but does not teach that the plurality of holes can be threaded and that a base can be secured to the plate through a plurality of threaded bolts. The Examiner also stated that it is well known to connect threaded members together through threaded holes, such as taught in the Hamilton patent, and concluded that it would have been obvious to one of ordinary skill in the art to take the Whaley structure and make the holes threaded.

Applicant does disagree with the Examiner's conclusion that it would have been obvious to one of ordinary skill in the art to make the holes in the Whaley patent threaded as set forth in the pending claims prior to any amendment. In particular, the Whaley patent teaches a plurality of clear-through or unthreaded holes that either let a wood screw pass therethrough into the door jamb, or permit a door piston bracket to be attached to the plate through fasteners which pass through the holes and which are secured by a nut on the end of the threaded fastener. There is no reason whatsoever for any threaded holes to be provided in the structure shown in the Whaley patent. Although the Examiner correctly notes that it is well known in many fields to provide threaded holes which accept threaded bolts, there is just no teaching whatsoever in the prior art to modify the Whaley patent to provide these threaded holes. Any threaded holes in the Whaley patent would be absolutely useless and the only teachings that suggest providing such a plurality of threaded holes in a door plate for a door closure is Applicant's own disclosure.

Regardless of the argument set forth above, Applicant has further amended the claims in order to more clearly distinguish his invention from the Whaley patent and the other prior art of record. In particular, independent claims 1 and 18 have both been amended to specify that the elongated plate having a plurality of threaded holes is flat. In addition, the claims have been amended to specify that each subset of the threaded holes has the same hole pattern. Furthermore, it has been specified that the threaded ends of the threaded bolts do not extend outside of the threaded holes when the bracket is secured to the plate.

These amendments to independent claims 1 and 18 are fully supported in the application as filed. In particular, the drawings as filed show a flat, elongated plate and page 5 (paragraph 0030) of the specification has been amended to include language which conforms the specification to the drawings as filed. The remaining amendments to claims 1 and 18 are supported on page 6 of the specification as filed.

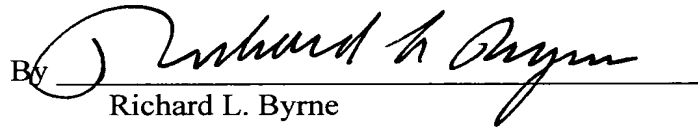
With these amendments to the claims, it is believed that independent claims 1 and 18 are patentable over the prior art and are in condition for allowance. Claims 2-7 depend from and add further limitations to independent claim 1 and are believed to be patentable for the same reasons discussed above. Remaining claims 8-17, 19 and 20 have been cancelled.

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In view of the foregoing, it is believed that claims 1-7 and 18, as amended, are patentable over the prior art and are in condition for allowance. Reconsideration of the rejections and allowance of these claims are respectfully requested.

Respectfully submitted,

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